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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,453	05/01/2006	Lothar Dittmer	2002P01596WOUS	8061

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EXAMINER	
GRAVINI, STEPHEN MICHAEL	
ART UNIT	PAPER NUMBER
3743	

MAIL DATE	DELIVERY MODE
11/26/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/539,453	DITTMER ET AL.	
	Examiner	Art Unit	
	Stephen M. Gravini	3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-24,30 and 48-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-24,30 and 48-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 June 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 19-20 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Huffington, Jr. et al. (US 5,570,520). Claims using the means plus function language are construed and applicants' intention to invoke the sixth paragraph of 35 USC 112 because the means for language is used modified by functional language and not modified by sufficient material, acts, or steps. The claims are reasonably and broadly construed, in light of the accompanying specification, as being disclosed by Huffington as comprising:

a device for determining the conductance of laundry in a laundry dryer, which comprises

at least two electrodes **12, 14**, and;

means for heat reduction from at least a part of at least one of the electrodes at column 4 lines 33-63 wherein the discloses exit air ducts and non-self heater feature of the disclosed electrode anticipates the claimed means for heat reduction because in both instances dryer air flowing past the electrode sensor reduces heat. Huffington also discloses the claimed means for heat reduction are arranged on the rear of the electrodes as shown in figure 3 and disclosed at column 4 line 34, wherein the means for heat reduction includes at least one of means for improving radiation of heat from

the electrodes and cooling surfaces, which are connected to the electrodes at column 5 lines 5-17 wherein the disclosed control circuit **10** meets the structural and function limitations of the claimed means for air supply and electrode arrangement because the disclosed analog to digital signal conversion allows precise temperature difference recognition and there for cooler air is being removed, and wherein the electrodes are built fixed in the laundry dryer at column 2 line 4 through column 3 line 30.

Claim Rejections - 35 USC § 103

Claims 21-23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huffington in view of Gardner et al. (US 2002/0184789). Huffington discloses the claimed invention, as rejected above, except for the claimed means for heat reduction comprises means for air supply and the electrodes are arranged on a component in which openings are formed, cool air being supplied and removed from the electrodes, whereby the cool air is supplied through a middle opening and the cool air is removed through at least one side opening, wherein the means for air supply are formed by defined faulty air openings in the vicinity of the electrodes, through which ambient air can be conveyed to the electrodes wherein the means for air supply comprises at least one of a fan and a source of compressed air. Gardner, another device for determining conductance of laundry in a dryer, discloses those features at paragraph [0039] and shown in figures 3A and 3B. It would have been obvious to one skilled in the art to combine the teachings of Huffington with means for heat reduction comprises means for air supply and the electrodes are arranged on a component in which openings are formed, cool air being supplied and removed from the electrodes, whereby the cool air

is supplied through a middle opening and the cool air is removed through at least one side opening, wherein the means for air supply are formed by defined faulty air openings in the vicinity of the electrodes, through which ambient air can be conveyed to the electrodes wherein the means for air supply comprises at least one of a fan and a source of compressed air, as disclosed in Gardner, for the purpose of providing an efficient cost effective means of removing undesirable heat in a laundry drying operation.

Claims 48-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huffington in view of Frye (US 2,511,839). Huffington discloses the claimed invention, as rejected above, except for the claimed cooler that cools the electrode, openings, and pipes air flow thereof. Frye, another device for laundry electrodes in a dryer, discloses those features at column 4 line 69 through column 5 line 22, especially at column 5 line 14. It would have been obvious to one skilled in the art to combine the teachings of Huffington with electrode, openings, and pipes air flow thereof, as disclosed in Frye, for the purpose of allowing an alternative efficient electrode cooling mode to keep optimum drying conditions.

Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huffington in view of Frye in further view of Turetta et al. (US 5,228,212). Huffington in view of Frye discloses the claimed invention, as rejected above, except for the claimed first and second fans and condenser. Turetta, another device for a laundry dryer, discloses those features at column 3 lines 6-24 and column 5 line 67 through column 6 line 4. It would have been obvious to one skilled in the art to combine the teachings of

Huffington with first and second fans and condenser, as disclosed in Turetta, for the purpose of optimizing means of removing undesirable heat in a laundry drying operation with a dual fan operating system.

Response to Arguments

Applicant's arguments with respect to claims 18-24 and 30 have been considered but are moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272

4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth B. Rinehart can be reached on 571 272 4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen Gravini/
Primary Examiner, Art Unit 374